IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4746 OF 2007

Mr.Janardan Hari Shende. ...Petitioner

vs.

1.The Administrator & ors. ...Respondents.

Mr.D.K.Ghaisas, for Petitioner.

Mr.V.S.Gokhale, AGP for Respondents.

CORAM: D.K.DESHMUKH &

V.M.KANADE, JJ.

DATED: 3rd DECEMBER,2007.

P.C.:-

1. The learned Counsel appearing for petitioner states that this petition has been filed by him pursuant to the liberty granted by the Division Bench of this Court by order dated 22.3.2007 in review petition (stamp) no.1323 of

2007 in Writ petition no.917 of 2007. The relevant portion of that order reads as under:-

> “We clarify that the order passed in the main writ petition will not come in the way of the petitioner in moving a fresh petition for any other reliefs, not covered by the said petition.”

2. In the earlier petition i.e. writ petition no.917 of 2005 a direction was sought to the respondents to implement the report of the grievance committee dated 2.9.2004. According to that report, the order of appointment of respondent no.6 as lecturer was to be set aside and the petitioner was to be appointed in that post. Perusal of the prayer clause of the writ petition shows that same relief is claimed by this petition. The petitioner is claiming same relief which was claimed in writ petition no.917/05. Perusal of the above quoted order on the Review petition shows that the liberty is granted to the petitioner to claim reliefs other than the relief claimed in writ petition no.917

of 2005. In this view of the matter therefore, the petition is not maintainable. Hence, it is rejected.

(D.K.DESHMUKH, J.)

(V.M.KANADE,J.)